

A regular meeting of the Board of Selectmen was held on March 4, 2010, in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts. Present were:

Michael L. Butler
Sarah MacDonald
James A. MacDonald
Carmen Dellolacono
Paul Reynolds

Mr. Butler called the meeting to order at 7:02 p.m.

Mr. Butler thanked the Board of Selectmen and Town Administrator's Office for getting everything together for this evening's meeting.

OPEN DISCUSSION

Mr. Butler asked if anyone in the audience wished to speak to the Board of Selectmen. There were no responses—Mr. Butler proceeded on to the next agenda item.

REQUEST FOR CHANGE OF MANAGER, HILTON AT DEDHAM PLACE, 25 ALLIED DRIVE, BETH CASHMAN, MANAGER

Representing Hilton at Dedham Place was: Beth Cashman, Director of Catering Sales

Ms. Cashman introduced herself to the Board. She informed them that she has been in the hospitality business for approximately twenty years. She went on to say that some of those years of employment were in the Catering Department at the Copley Hotel and eight years to present at the Hilton Hotel.

Mr. Dellolacono asked Ms. Cashman if she will also be involved in the Catering Department at the Hilton. Ms. Cashman stated that if she is approved as the manager, she will be on duty throughout the hotel and will help out, as necessary, with weddings and Bar Mitzvahs.

Mr. MacDonald made a motion to approve Beth Cashman as Manager of Record for the Hilton at Dedham Place; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

REQUEST FOR A COMMON VICTUALLER'S LICENSE FROM HIMARA, INC., D/B/A RIVERSIDE DELI, 7 NEEDHAM STREET

Representing Himara, Inc., d/b/a Riverside Deli was: Attorney Paplos Kakas and Nikollay Papa

Mr. MacDonald asked Attorney Kakas what the hours of operation will be at the deli. Attorney Kakas informed all that the hours will remain the same—no changes. Mr. MacDonald asked about the Delivery Schedule. Attorney Kakas informed the Board that all deliveries to the establishment will be every week on Tuesdays at 2:00 p.m.

Mr. MacDonald commented that the deli is located in the vicinity of a tough intersection—He asked where the owner will park his vehicle. Attorney Kakas responded—Needham Street.

Mr. MacDonald commented that the previous owner had a Delivery Service and asked Attorney Kakas if this service will continue going forward. Attorney Kakas responded, yes, same as the prior owner. Mr. Dellolacono had concerns relative to the deliveries. He mentioned the wish of neighbors to lessen the congestion on Needham Street.

Mr. MacDonald made a motion to approve a Common Victualler's License to Himara, Inc., d/b/a Riverside Deli; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

DISCUSSION RE: FINANCIAL POLICIES, AVERY SCHOOL RE-USE COMMITTEE AND NEWLY CREATED STABILIZATION FUND

Mr. Butler gave a breakdown of the composition of Avery School Re-Use Committee. Proposed group is as follows: Persons elected to Boards/Committees, At-Large and Professional Staff—Board of Selectmen, Planning Board, School Committee, Finance Committee, Economic Development Director and At-Large Residents. (Dave Roberts, School Committee, who was present at this evening's meeting, stated that he would bring this discussion matter back to the School Committee.)

Mr. Dellolacono recommended reduction of the At-Large numbers. Mr. MacDonald suggested leaving 4 At-Large members and adding one member specifically for Precinct #3. Additionally, Mr. MacDonald suggested the committee be increased to nine members. Mr. Keegan asked if the BPCC could be involved with the committee.

Mr. Butler asked Bob Aldous, Planning Board, who was present for this evening's, to take this discussion back to the Planning Board to see if anyone would be interested in serving.

Relative to Financial Policies, Dave Roberts, School Committee, commented that the last update to the policies were 5 or 6 years ago. Mr. Butler informed all that the Financial Policies are signed by the chairmen of the Board of Selectmen, School Committee and Finance Committee. Mr. Butler proceeded with a proposed composition for Financial Policies Committee—two members of the Board of Selectmen, two members of the School, two Finance Committee and one At-Large. Ms. MacDonald suggested the At-Large member be a person with financial expertise.

Robin Reyes, Deputy Finance Director, had questions relative to goals. He suggested setting goals and policies going forward in order to do things that would benefit the Town. Mr. Reyes went on to say that the committee should look to the Master Plan and other Town documents going forward. Mariellen Murphy, Finance Director, added that the Master Plan has a number of financial goals and they should be incorporated into the plan.

Mr. MacDonald commented that this will be a lengthy process. Additionally, Dedham will be creating something new—there is no model. Mr. MacDonald felt that an At-Large financial expert will be good addition to the mix. Mr. MacDonald went on to say that this process is not something that can be done overnight in preparation for the Town Meeting.

Mr. Dellolacono asked if Unibank has a set of plans. Mr. Keegan commented that there is no model to take Dedham where it wants to go. Ms. Murphy informed the Board that Mr. Reyes worked on an updated version of plans for the Board's reference.

Mr. Dellolacono asked Ms. MacDonald what kind of expert At-Large she had in mind. Ms. MacDonald replied—someone with expertise in the private sector. Mr. Keegan thought that private sector input might be an interesting choice. Mr. Roberts suggested the School Business Manager be a part of the process (not a voting member).

Mr. Butler discussed establishing policy for use of funds—Major Capital Improvement Fund and committee. The committee would be made up of the following: Board of Selectmen, School Committee, Capital Expenditures Committee, Finance Committee and At-Large. Mr. Dellolacono suggested a person from Planning Board/BPCC in place of Capital Expenditures Committee Member.

At the conclusion of the discussion, Mr. Butler asked Mr. Aldous, Planning Board, Mr. Roberts, School Committee and Mr. Moulton, Finance Committee to take back the information discussed this evening to their Board members so that they can discuss the structure relative to the makeup of the committees.

Mr. Dellolacono thought that this evening's discussion was a good start. Mr. Butler concurred. He thanked all for their attendance.

EXECUTION OF LICENSE AGREEMENT—This agenda item was postponed until the next Board of Selectmen's Meeting.

DAVID FIELD, DIRECTOR OF ENGINEERING RE; DISCUSSION AND VOTE TO SUPPORT DEDHAM SQUARE IMPROVEMENT PROJECT

Mr. Field informed all that there were three Public Hearings and two meetings with the Board of Selectmen relative to the Dedham Square Improvement Project. Major elements discussed with the Board were as follows: No left turns; Attention to the Keystone Lot, Taking the wall in; and General layout relative to traffic.

Mr. Field commented that he did not want to go forward without the Board's input. Mr. Field asked for the Board's input prior so that there will be no mistakes that would result in work being done over.

Mr. Field highlighted some of the comments made to him at the Public Hearings—Parking, Bike Lanes, Landscaping, Left Turn Lane-High/Washington Streets. Mr. Field informed the Board that he thought that the plan was well received and the impact will be minor.

Ms. MacDonald informed all that the comments were all very good but more specific than needed at this point. She suggested filing away this information for future detail activities.

Mr. Reynolds remarked that the process invited comments and concerns at very early stages for consideration and incorporation going forward. Mr. Reynolds went on to say that the #1 concern he has heard was pertaining to pedestrian safety. He went on to say that the final affect should be that it not only look attractive but that it protect and keep pedestrians safe. Mr. Reynolds thanked Mr. Field.

Mr. Dellolacono commented that when concerned people ask a question, they just want to receive an answer back. Mr. Dellolacono complimented Mr. Field for getting back to the residents and went on to say, nice work. Mr. Dellolacono also asked about the wall. Mr. Field informed in that they will move in a section on Eastern Avenue.

Mr. Keegan asked Mr. Field to speak with the Fire Department to make sure their input and concerns are factored into the design. Mr. Field informed Mr. Keegan that the Fire Trucks can make the corners and they will fit. He went on to say that, if anything, it will make an improvement to the area and there will be no detrimental effects relative to the Fire Department.

Mr. Butler asked Mr. Field the benefits relative to pedestrian safety and pedestrian access to the square. Mr. Field highlighted the benefits relative to economic development. They are as follows: Improvement in transportation; Stopping the gridlock in Dedham Square; People patronizing Dedham Square; Improving pedestrian safety so that people will know what to expect; A uniform design so that motorists will know what to expect.

Mr. Butler asked Mr. Keegan, Town Administrator, if he had a discussion with NSTAR relative to placing the utilities underground, i.e., CVS, Flower Shop, Centre Deli and Parking Lot. Mr. Keegan informed him that M.G.L. Chapter 166 states that NSTAR can charge up to 2% on their bills in Dedham for costs to offset the underground work in Dedham Square. Additionally, a by-law is needed that will give NSTAR authorization to charge 2% on each bill—the same is needed for Comcast, RCN, Fire Lines, etc. Mr. Keegan informed all that this process can be slow—it might slow down the project. He also mentioned that the utilities have to work together during this process. Mr. Keegan thought that this action would be the best thing to do cosmetically—it will look very nice and there is a mechanism in place to achieve this outcome. Ms. MacDonald asked if there would be new poles. Mr. Field replied that some poles will be relocated. Mr. Field went on to say that most of the utilities in Dedham Square are underground. Mr. Butler asked Mr. Keegan to develop a timeframe relative to establishing the by-law.

Mr. Reynolds commented that the many wires in this location were, in fact, very ugly. He went on to say that if underground wiring were to be considered, now is the time to do it. Mr. Reynolds was concerned with a slow down relative to the project and the hardship it might cause to certain businesses in the Dedham Square.

Mr. MacDonald informed Mr. Field that the Board will need to have all the facts before going forward with the underground suggestion. Mr. MacDonald thought that a surcharge that might not benefit residents/businesses all over town might have to be carefully thought through before taking action. Mr. MacDonald went on to say that the Board and Engineering have to do research and due diligence relative to the impact on the bill and what goes into it. Mr. MacDonald asked for more details relative to the impacts. Mr. MacDonald also agreed that now is the time to look at the underground utilities and discuss it going forward.

Mr. Butler requested more information this month and a timetable. He asked for a timeline relative to the Utility Poles and more details from other towns with similar situations.

Ms. MacDonald made a motion to support and move forward with the Dedham Square Improvement Project as presented by the David Field, Engineering Department; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

At the conclusion of the discussion, Mr. Butler thanked Mr. Field and the Engineering Staff for their diligent efforts relative to the sewers. Mr. Butler informed all that the Engineering Department saved the Town \$24,000 in MWRA costs. Mr. Butler and the entire Board extended their gratitude to David Field, Ron Mammone and Ronald Lawrence for their expertise and hard work.

LEGACY PLACE EASEMENT DISCUSSION

Present for the discussion were: Attorney Peter Zahka, 12 School Street, Dedham, MA, Fred Civian, Chairman, Conservation Commission, Dave Gordon and Jonathan Briggs, Members of Conservation Commission and Don Yonika, Conservation Officer.

Mr. Civian informed all that relative to Legacy Place, the Conditions of Approval ran with the development—access to Wigham Pond. Presently, there is no access and they would like to make sure there is public access. He went on to say that they have been working with the developers to provide parking spaces near the Tent-to-Rent area with a grand path to Wigham Pond—walking, wheelchairs and public access. Mr. Civian informed all that the Condition of Approval conveys this piece of property to the Town of Dedham, with access forever.

Mr. Civian informed all that L.L. Bean uses Wigham Pond for Kayak and Fly Fishing classes. He went on to say that, possibly, the schools could utilize the area for Biology classes. Mr. Civian agreed with taking ownership of the property to develop easement or own out right—Order of Condition (Town take control of property and Legacy Place maintain retention space perpetually.) Ms. MacDonald commented that this particular property was proposed for the Adult Use District-- She questioned and discussed what the impacts would be if the Town took ownership relative to the Adult Use District.

Mr. MacDonald asked if this particular piece of land was a gift from Legacy Place. Mr. Civian responded that there is no cost to the Town. Additionally, the piece of land is worth approximately \$100,000 and would give public access to Wigham Pond. Mr. MacDonald asked Mr. Keegan the process going forward. Mr. Keegan responded that the land will be given to the Town as a gift and then the Town will turn it over to the Conservation Commission for conservation purposes. Attorney Zahka informed all that the article presented to the last Annual Town Meeting by the Planning Board was not as specific—just gives access. He went on to say that the Conservation article will be more specific and could ask to accept an easement or land.

Mr. MacDonald asked that this process be done the right way. He went on to say that he has not seen any article tonight and would like the opinion of Town Counsel relative to the process before the Board voted on any action. Mr. Butler commented that this was just a discussion this evening. Mr. MacDonald, once again, commented that he wanted to make sure the process was done correctly.

Mr. Dellolacono asked for protection to the Town, i.e., that Legacy Place pays for repairs of the Detention Center/Land and bank takes over this responsibility if Legacy Place goes out of business. Mr. Dellolacono asked Mr. Civian if the easement would satisfy the condition. Mr. Civian responded that it would be fine. Mr. Briggs added that the easement would settle access and provide opportunities for open space as suggested in the Master Plan, i.e., to acquire land.

Attorney Zahka informed the Board that Legacy will grant the Town whatever is in the Town's best interest. He went on to say if the Town does not acquire all the land, that the Board of Selectmen send a letter to him stating what the Town will accept, i.e., ATM Article, Deed, Town Counsel's opinion, Verification of Town's protected bills, repairs and bank ownership.

At the conclusion of the discussion, Mr. Civian thanked the Board of Selectmen.

Town Administrator's Report

Mr. Keegan informed all that the Town was awarded the Energy Efficiency Block Grant in the amount of \$150,000—ESSO Projects. He went on to say that he will make a presentation to Boards/Committees on March 22nd. Additionally, energy efficiency products will be utilized with the projects.

Mr. Keegan informed all that this past week, Town hall Employees and other departments had a Bake Sale to raise funds for Haitian Relief.—the employees raised over \$1,000.00. Mr. Keegan thanked everyone involved in these efforts and commented that the Haitian community in Dedham was very grateful.

Mr. Keegan informed all that there has been updating in technology and the Webpage—In order to stay involved in the curve, the Town is enrolled in Gov.Enroll Technology. Mr. Keegan commented that they have made progress; however, there still is a long way to go and the Town needs to go further.

Action by the Board

Request permitting for 2010 Avon Walk for Breast Cancer – Mr. MacDonald made a motion to grant permitting of the 2010 Avon Walk for Breast Cancer through the Town of Dedham; seconded by Mr. Dellolacono and voted unanimously.

Request permitting for 2010 Walk-in-Roll for Spina Bifida – Mr. MacDonald made a motion to grant permitting of the 2010 Walk-in-Roll for Spina Bifida; seconded by Mr. Dellolacono and voted unanimously.

Request permitting for 2010 Mass Dash Relay – Mr. MacDonald made a motion to grant permitting of the 2010 Mass Dash Relay; seconded by Mr. Dellolacono and voted unanimously.

Request for a One-Day Liquor License from St. Mary's Life Teen (Fundraiser) – Mr. MacDonald made a motion to hear an item not listed on the Board of Selectmen's Agenda this evening; seconded by Ms. MacDonald and voted unanimously.

Mr. MacDonald made a motion to approve the One-Day Liquor License for the Life Teen Fundraiser.

OLD/NEW BUSINESS

Mr. MacDonald made a motion that the Board concur with the Town Administrator's Budget as presented at the Selectmen's Meeting last week; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Ms. MacDonald informed all that the Dedham Community House is have a Tropical Night Fundraiser on Friday, March 5, 2010. Also, the Riverdale School is have an Oscar's Night on March 5, 2010. Ms. MacDonald mentioned that a resident brought to her attention the Goggle Running Contest. The resident informed her that they are looking for communities to compete. The resident also brought Ms. MacDonald an application for Dedham to be a pilot community.

Mr. Dellolacono informed all that Pop Warner Boosters is having a fundraiser at Moseley's on April 2, 2010

Mr. Reynolds brought to the attention of all the revitalization going on in Oakdale Square. Over the past two weeks, Oakdale residents have cleaned up the area. Mr. Reynolds went on to say that the business group will continue cleanup on a permanent basis to improve Oakdale Square.

Mr. Reynolds asked what can be done relative to the pigeons nesting underneath the new bridge. Mr. Reynolds commented that as the springtime arrives, the roads are looking good. Mr. Reynolds asked that everyone support local theater--most especially the Riverdale Students.

Mr. Keegan, Town Administrator, informed Mr. Reynolds that he has been working with the State relative to the pigeon situation underneath the new bridge. Mr. Keegan went on to say that the State will be placing tack strips where the birds are nesting—the strips will be placed down during the course of this month or next month.

Mr. Butler asked that the Parks and Recreation Commission be placed on the Board's Agenda for the meeting of March 25, 2010. Mr. Butler also mentioned a proposed Softball Game Fundraiser in the works between the Selectmen, Parks & Recreation, Planning Board and School Committee—it is being planned for a date in the spring at Dolan Field.

Mr. MacDonald made a motion to enter into Executive Session relative to M.G.L. Chapter 39, Section 23B, to discuss Collective Bargaining Matters; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

The meeting did not reconvene in Open Session

The meeting adjourned at 8:48 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Selectmen's Meeting held on March 5, 2010, which Minutes were approved on August 5, 2010.

Michael L. Butler, Chairman